



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Health
<b>Virginia Administrative Code (VAC) citation</b>	12 VAC 5-220
<b>Regulation title</b>	Medical Care Facilities Certificate of Public Need Rules and Regulations
<b>Action title</b>	To repeal section 500 of the regulation exempting Virginia Veterans Care Centers from the COPN program
<b>Final agency action date</b>	June 13, 2011
<b>Document preparation date</b>	May 23, 2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

HB1697 and SB (2011) amend 32.1-102.1 of the Code of Virginia related to the Certificate of Public Need (COPN) program by adding the Virginia Department of Veterans Services (VDS) to the listing so state medical care facilities exempted from obtaining a COPN prior to constructing or renovating any of Virginia's veteran care centers. DVS operates several skilled nursing facilities for veterans in Virginia, each having obtained a special legislative exemption to COPN> such exemptions are already allowed for the Virginia Department of Behavioral health and Disability Services, The Woodrow Wilson Rehabilitation Center, and the Department of Corrections. Because the exemption is now statutory, the applicable section of the COPN Rules and Regulations can be repealed.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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Pursuant to § 32.1-20 of the Code of Virginia, the State Health Commissioner approved this action on behalf of the Board of Health when the Board was not in session.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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There is no direct impact on the family.